

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

**IN RE: GARDASIL PRODUCTS  
LIABILITY LITIGATION**

**MDL No. 3036**

**THIS DOCUMENT RELATES TO ALL  
BELLWETHER CASES**

*Filed Under Seal Pursuant to Stipulated  
Protective Order (Feb. 14, 2023) (ECF 70)*

---

**NOTICE OF SEALED FILING  
Local Civ. R. 6.1(g)**

---

Pursuant to Local Civil Rule 6.1(g), Plaintiffs' Co-Lead Counsel files this notice of the sealed filing of Plaintiffs' brief in opposition to Merck's motion to exclude the expert report and testimony of Dr. Martin Kulldorff. *See* ECF Nos. 238, 239. The brief demonstrates that Merck's motion should be denied because Dr. Kulldorff's expert opinion testimony is admissible pursuant to Federal Rule of Evidence 702 and *Daubert v. Merrell Dow*, 509 U.S. 579 (1993) and its progeny. Plaintiffs' Co-Lead Counsel have filed their opposition brief under seal pursuant to paragraph 10 of the Stipulated Protective Order (ECF No. 70) because the brief quotes and attaches materials – including Dr. Kulldorff's report and deposition transcript and internal Merck documents – that have been designated as “CONFIDENTIAL” under the protective order and includes references to information in those materials.

Dated: February 6, 2025

Respectfully submitted,

/s/ Paul J. Pennock

Paul J. Pennock

*Co-Lead Counsel for Plaintiffs*

MORGAN & MORGAN

350 Fifth Avenue, Suite 6705

New York, NY 10118  
Telephone: (212) 738-6839  
ppennock@forthepeople.com

K. Rachel Lanier  
*Co-Lead Counsel for Plaintiffs*  
THE LANIER LAW FIRM  
2829 Townsgate Road, Suite 100,  
Westlake Village, CA 91361  
rachel.lanier@lanierlawfirm.com

Bijan Esfandiari  
*Co-Lead Counsel for Plaintiffs*  
WISNER BAUM  
11111 Santa Monica Blvd., Suite 1750  
Los Angeles, CA 90025  
Telephone: (310) 207-3233  
Facsimile: (310) 820-7444  
besfandiari@wisnerbaum.com

Allison Mullins  
*Liaison Counsel for Plaintiffs*  
MULLINS DUNCAN HARRELL &  
RUSSELL PLLC  
300 N. Greene Street, Suite 2000  
Greensboro, NC 27401  
Telephone: (336) 645-3321  
amullins@turningpointlit.com

/s/ Josh Autry  
MORGAN & MORGAN  
333 W. Vine St, Ste 1200  
Lexington, KY 40507  
Telephone: (859) 899-8785  
jautry@forthepeople.com

## CERTIFICATE OF SERVICE

A copy of this filing was served on all counsel of record through this Court's electronic filing system.

/s/ Paul J. Pennock  
Paul J. Pennock  
*Co-Lead Counsel for Plaintiffs*

/s/ Josh Autry  
Josh Autry